

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

SUPPLEMENTAL SHEET FOR REGULAR MEETING OF NOVEMBER 13-14, 2014

Prepared on November 12, 2014

ITEM NUMBER: 20

SUBJECT: Revise Waste Discharge Requirements Order No. 01-100 and Issue New Waste Discharge Requirements and Water Recycling Requirements Order No. R3-2014-0050 for Cambria Community Services District, San Luis Obispo County

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Additional findings for proposed revised Order No. 01-100.

Add to Order 01-100, just before **IT IS HEREBY ORDERED:**

**FINDINGS RELATED TO AMENDMENT OF DISCHARGE SPECIFICATION A.5
(Added November 14, 2014)**

21. The amendment is exempt from CEQA for the following reasons:

- a. By proclamations dated January 17, 2014, and April 25, 2014, the Governor declared a state of emergency in California due to the ongoing extraordinary drought. Each proclamation included a directive that suspended the environmental review required by the California Environmental Quality Act (CEQA) to allow certain directives from the Governor to take place as quickly as possible. The project is consistent with the following directive from the April 25, 2014, proclamation: Directive 12: The California Department of Public Health, the Office of Emergency Services, and the Office of Planning and Research will assist local agencies that the Department of Public Health has identified as vulnerable to acute drinking water shortages in implementing solutions to those water shortages.

Under Directive 19 of the April 25, 2014 Proclamation, environmental review required by CEQA is suspended for actions taken pursuant to Directive 12, and for all necessary permits needed to implement those actions, when the Office of Planning and Research "concurs that local action is required." DDW has identified the Cambria Community Services District (District) as having critical drinking water shortages, meaning that the District will deplete its available supplies within 60 to 90 days. The Office of Emergency Services has indicated that the project described in the attached Notices of Exemption is necessary to solve this critical drinking water shortage. The Office of Planning and Research concurred that local action is required on September 12, 2014. Therefore, the

project is exempt from CEQA because the Governor suspended CEQA for this project pursuant to Directives 19 and 12 of the April 25, 2014 proclamation.

- b. The project is also consistent with the statutory exemption for an emergency project. CEQA defines emergency as follows: “‘Emergency’ means a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. ‘Emergency’ includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage.” [Public Resources Code Section 21060.3.] Specific actions necessary to prevent or mitigate an emergency are exempt from CEQA. Emergency activities do not include long-term projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term. [Title 14 California Code of Regulations, Section 15269(c).] The basis for claiming the exemption is that the District’s water situation is dire, and the Emergency Water Supply Project will avoid potentially disastrous consequences from not having adequate water for health, safety, sanitation, and fire protection and will mitigate the effects of the drought emergency declared by the Governor and emergencies that result from future critical water shortages.

- c. This facility is an existing facility and the amendment allows negligible or no expansion of use. The amendment does not change the effluent limitations, increase the flow limit, or relax any other restrictions of this Order. The microfiltration reject and backwash flows consist of groundwater pumped from under the facility and excess suspended solids removed from microfiltration product water. The primary filtration process is precautionary because the suspended solids content of pumped groundwater is already very low. This increases the concentration of suspended solids in the discharge as compared to groundwater but does not otherwise add or concentrate any waste already present in the groundwater. The percolation process removes the suspended solids from the discharge before it reaches groundwater, so suspended solids concentrations in groundwater will not increase. The amendment is therefore exempt from the provisions of the CEQA in accordance with Section 15301, Title 14 of the California Code of Regulations.

22. The amendment is consistent with Resolution 68-16 (Antidegradation Policy). This Order and Order R3-2014-0008 already require the Discharger to address the Wastewater Treatment Facility’s prior and ongoing impacts to groundwater. As stated in Finding 21, the amendment does not increase the flow limits or allow reduced treatment of wastes discharged from that facility. Rather, microfiltration reject water and filter backwash will undergo additional treatment through the percolation process, which will remove suspended solids. The additional discharge will treat or leave in place waste that is already present and will not produce a waste or increased volume or concentration of waste. Therefore, the Antidegradation Policy does not require the board to make findings that the amendment implements the best practicable treatment or control of the discharge necessary to ensure that (a) pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained. Nevertheless, the board has considered the Antidegradation Policy as part of its overall consideration of the Emergency Water Treatment Facility. Discharge of the reject/backwash flows is necessary to accommodate the Emergency

Water Treatment Facility, which is necessary to maintain existing drinking water service. Groundwater recharged with recycled water for later extraction and use in accordance with the Recycled Water Policy and state and federal water quality laws is to the maximum benefit of the people of the State of California. Discharge of this waste stream to the percolation ponds represents the best practicable treatment or control of this waste stream because percolation provides additional treatment that direct injection would not and because it avoids moving waste that is already present in groundwater at this facility to a different location, where it could affect current drinking water supplies that are not already impacted by the Wastewater Treatment Plant. Thus, the amendment is consistent with maximum benefit to the people of the State because it will accommodate the Emergency Water Treatment Facility, will not unreasonably affect beneficial uses, and will not cause or contribute to exceedances of applicable water quality standards.

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